

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ADOBE SYSTEMS INCORPORATED,
Plaintiff,
v.
SOFTWARE TECH, et al.,
Defendants.

Case No. 5:14-cv-02140-RMW

**ORDER REGARDING DEFENDANT'S
REQUEST TO CONTINUE 9/18/2015
EVIDENTIARY HEARING**

The court received an emailed request from defendant Pierre Francis informing the court that he “will not be present in court this Friday, September 18, 2015” at the evidentiary hearing on plaintiff Adobe’s motion for contempt and for sanctions. *See* Dkt. No. 64.

Defendant claims that he has been in contact with counsel for Adobe “[u]ntil last Monday,” and defendant requests a 60-day continuance of the hearing so that settlement talks with plaintiff may proceed. Defendant claims that he has “made every effort to make possible this negotiation as it would address all matters relating to the Contempt which is the subject of this pending hearing as well as the rest of the case.”

The evidentiary hearing scheduled for September 18, 2015 has been on the court’s calendar for nearly a month, and defendant has provided no reason why the hearing will interfere with settlement talks. Defendant’s request is **DENIED**. The hearing will proceed as scheduled on September 18, 2015 at 1:30 pm. If defendant does not appear, he will lose his opportunity to

1 present testimony regarding the pending motion for contempt and sanctions.

2 The parties are advised that any request to change deadlines should be made pursuant to a
3 stipulation among the parties, or, failing that, a formal motion served on all parties in accordance
4 with Civil Local Rules 5, 6, and 7.

5 **IT IS SO ORDERED.**

6 Dated: September 16, 2015



Ronald M. Whyte
United States District Judge

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